

Consumer Lawyers' Advisory Committee
Joint Meeting
Minutes

Meeting Date: November 19, 2021

Location: Via Zoom Meeting

Attendees: See below

Statistics for Filings in U.S. Bankruptcy Courts:

Co-Chair Karen Sheehan reported on the statistics from across the country bankruptcy filings and that we are currently working with substantially lower case filings than in prior years.

Co-Chair Shari Barak discussed the foreclosure and eviction moratoriums lifting January 15, 2022, state courts having crowded dockets, and the possibility of more loan modifications and deferrals in the future.

Update from Subcommittee on Mentoring:

Co-Chair Rachel Blumenfeld reported on the very active subcommittee of 11 members who are hosting a Brown Bag event on December 15, 2021 titled: Series of Unfortunate Events: Errors in Consumer Practice & Ways to Try to Avoid Them. Since the court sent its email blast there are already 113 people registered.

The Co-Chairs are preparing a list of mentors and will maintain it and asked for mentor attorney volunteers from the committee. The EDNY can post the existence of the mentor list but cannot maintain it and there will be a disclaimer it is without the Court's seal of approval. The Co-Chairs will endeavor for all 5 Borough Bar Associations to have the mentor list.

There is a possibility of Junior Lawyers Argument in Consumer Cases workshops as the next project for this subcommittee.

Update from Subcommittee on Bankruptcy Rule Amendments:

Nathan Kaufman discussed the proposed Rules amendments and the comment submission deadline of February 2022. He noted that these proposed amendments may impact conduit districts differently than non-conduit.

A very lively, insightful discussion ensued. Krista Preuss advised that the National Association of Chapter 13 Trustees are submitting comments. Karen Sheehan inquired if we want the CLAC to submit comments. A discussion ensued and Judge Trust advised that he would notify the Co-Chairs if the CLAC, since it was created by the Court, can submit comments in that capacity, while noting that any individual member is free to comment in their individual capacity. The CLAC will hold off on further discussions until the CLAC gets direction from the court.

Post-script: after the meeting Judge Trust advised that it would be best for the CLAC to not submit comments in that capacity since it is a creation of the Court, and reiterated that of course individual members are free to comment in their individual capacities.

Member on the CLAC

Co-Chair Melanie FitzGerald requested more participation, ideas and involvement from the members. Shari Barak mentioned the upsides of personal involvement in the CLAC.

Judge Stong welcomed the idea of an in-person end of year CLAC toast with follow up and coordination to follow.

Old Business: None.

New Business: None.

Next Meeting Date: Schedule TBD.

Attendees:

Richard Artura, Esq.

Shari Barak, Esq.

Heath Berger, Esq.

Christine Black, Esq.

Rachel Blumenfeld, Esq.

Donna Ciampa, Esq.

Mark Cohen, Esq.

Peter Corey, Esq.

Barbara Dunleavy, Esq.

Karen Sheehan, Esq.

Melanie FitzGerald, Esq.

Elise Kanter, Esq.

Fred Kantrow, Esq.

Nathan Kaufman, Esq.

Lorna LaMotte, Esq.

Marylou Martin, Esq.

Lisa Milas, Esq.

Alan Nisselson, Esq.

Nico Pizzo, Esq.

Krista Preuss, Esq.

Robert Pryor, Esq.

Mike Rozea, Esq.

Ward Saxon, Esq.

Hanin Shadood, Esq.

Scott Schneider, Esq.

Rick Stern, Esq.
Amy Stewart, Esq.
Alex Tsionis, Esq.
Anthony Vasallo, Esq.
Robert Wolf, Esq.

Hon. Jil Mazer-Marino
Hon. Nancy Lord
Hon. Louis A. Scarcella
Hon. Elizabeth Stong
Hon. Alan S. Trust
Paul Dickson
Bob Gavin
Christine Moffett